

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Stephen L. Spurgeon et al. Art Unit :
Serial No. : Examiner :
Filed : January 28, 2002
Title : DECORATING SYSTEM FOR EDIBLE ITEMS

Commissioner for Patents
Washington, D.C. 20231

PRELIMINARY AMENDMENT

Prior to examination, please amend the application as follows:

In the specification:

Page 1, please delete lines 2-4 and replace with the following:

--This application is a continuation of U.S. Serial No. 09/144,046 filed August 31, 1998, which is based on the subject matter of provisional patent application serial number 60/079,335, filed on March 25, 1998.--

Replace the paragraph beginning at page 14, line 7 with the following rewritten paragraph:

-- Other examples of edible layers are described in U.S. Patent No. 5,017,394, assigned to the Lucks Company, and incorporated herein by reference. This type of edible layer is formed from a flour and/or starch base as opposed to the sugar base of the fondants. Another example of an edible layer is disclosed in U.S. Patent No. 4,334,404, issued to Garcia et al. and incorporated herein by reference. --

In the claims:

Please cancel claims 1-37 without prejudice or disclaimer.

Please add claims 38-93 as follows:

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I hereby certify under 37 CFR §1.10 that this correspondence is being deposited with the United States Postal Service as Express Mail Post Office to Addressee with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

January 28, 2002
Date of Deposit

Signature

Vince Defante
Typed or Printed Name of Person Signing Certificate

--38. A system for printing an edible ink image on an edible medium, comprising:

- (a) a processor;
- (b) a display screen and a printer connected to the processor; and
- (c) a software program including instructions that, when executed by the processor,

generates the following on the display screen:

- (i) at least one button for selecting an image input source, wherein the buttons are selected from a scanner and a library of digital art; and
- (ii) a button for selecting the size of the edible product.

39. The system of claim 38, wherein if the button for selecting the image input source is actuated by a user, a pull down menu is generated that directs the user to: (a) place a photo on the scanner; and (b) select a desired cake size.

40. The system of claim 39, wherein the pull down menu further directs the user to: (c) enter the number of copies of a scanned image to print; and (d) press print to start the copy process.

41. The system of claim 39, wherein the pull down menu further comprises at least one of (a) a button for selecting color printing; and, (b) a button for selecting black and white printing.

42. The system of claim 38, wherein if the button for selecting the size of the edible product actuated by a user, a pull down menu is generated that directs the user to select a product size button.

43. The system of claim 42, wherein the product size buttons are selected from 1/4 size, 1/2 size, full size and custom.

44. The system of claim 38, wherein if the button for selecting the image input source is actuated to select the library of digital art, a key pad menu is generated that directs a user to select a numerical identifier for a desired image.

45. The system of claim 44, wherein following entry by a user of the numerical identifier, if the image is available for printing, a confirmation message is generated that confirms at least one of the selection and the availability of the image.

46. The system of claim 45, wherein following entry by a user of the numerical identifier, if the image is a licensed image not available for printing, a message is generated instructing a user to enter a key number to activate the licensed image.

47. The system of claim 39, wherein the software further includes instructions that when executed by the processor, generates on the display screen a button for selecting advanced functions for control of print size variables.

48. The system of claim 47, wherein if the button for selecting advanced functions is actuated, a menu is generated that includes a photo size auto detect button.

49. The system of claim 48, wherein if the photo size auto detect button is actuated by a user, a menu is generated that includes an auto detect and a manual photo size button.

50. The system of claim 49, wherein if the manual photo size button is actuated by a user, a menu is generated that includes a photo length button and a photo width button.

51. The system of claim 50, wherein if one of the photo length button and the photo width button are actuated by a user, a key pad is generated for input of photo dimensions.

52. The system of claim 50, wherein the menu further comprises a cropping button for selectively cropping the image

53. The system of claim 52, wherein if the cropping button is actuated by a user, and the photo length button and the photo width button are actuated by the user following actuation of the cropping button, a key pad is generated for input of the dimensions of a crop box.

54. The system of claim 53, further comprising a crop box display.
55. The system of claim 52, wherein the menu further comprises a button for selecting an offset value for a cropped image.
56. The system of claim 55, wherein if the offset value button is actuated by a user, a key pad is generated by input of the offset dimensions.
57. The system of claim 38, wherein the software program further comprises instructions that, when executed by the processor, generates on the display screen a balance slider for adjusting the lightness and/or darkness of the image.
58. The system of claim 38, wherein the software program further comprises instructions for displaying a button that causes the printer to print the edible image on the edible product.
59. The system of claim 38, wherein the display is a touch screen display.
60. The system of claim 38, wherein the processor is a raster image processor.
61. The system of claim 38, wherein the printer is an ink jet printer.
62. The system of claim 61, wherein the ink jet printer is selected from the group consisting of thermal, piezo, electrostatic and airbrush.
63. The system of claim 38, wherein the edible ink comprises a colorant, an alcohol, and an emulsifier.
64. The system of claim 63, wherein the alcohol is isopropyl alcohol.
65. The system of claim 63, wherein the emulsifier is sodium lauryl sulfate.

66. A system for printing an edible image on an edible medium, comprising:
- (1) providing a kiosk comprising
 - (a) a processor;
 - (b) a touch screen display and a printer connected to the processor; and
 - (c) a software program including instructions that, when executed by the processor, generates the following on the display screen:
 - (i) at least one button for selecting an image input source, wherein the buttons are selected from a scanner and a library of digital art; and
 - (ii) a button for selecting the size of the edible product;
 - (iii) instructions to guide a user in selecting an image; and
 - (2) transmitting electronically a selected image to a printer.
67. The system of claim 66, wherein the printer is in the kiosk.
68. The system of claim 67, wherein the printer is located at a site remote from the kiosk.
69. The system of claim 67, further comprising printing the selected image on the edible medium.
70. The system of claim 67, further comprising applying the edible medium to a food article.
71. The system of claim 70, further comprising shipping the food article to the user.
72. The system of claim 68, wherein the selected image is transmitted to the printer via an internet connection.

73. A computer readable article of manufacture that, when executed by a processor, causes the processor to generate the following on a display screen:

- (i) at least one button for selecting an image input source, wherein the buttons are selected from a scanner and a library of digital art; and
- (ii) a button for selecting the size of the edible product.

74. The article of claim 73 wherein if the button for selecting the image input source is actuated by a user, a pull down menu is generated that directs the user to: (a) place a photo on the scanner; and (b) select a desired cake size.

75. The article of claim 74, wherein the pull down menu further directs the user to: (c) enter the number of copies of a scanned image to print; and (d) press print to start the copy process.

76. The article of claim 74, wherein the pull down menu further comprises at least one of (a) a button for selecting color printing; and, (b) a button for selecting black and white printing.

77. The article of claim 74, wherein if the button for selecting the size of the edible product actuated by a user, a pull down menu is generated that directs the user to select a product size button.

78. The article of claim 77, wherein the product size buttons are selected from 1/4 size, 1/2 size, full size and custom.

79. The article of claim 74, wherein if the button for selecting the image input source is actuated to select the library of digital art, a key pad menu is generated that directs a user to select a numerical identifier for a desired image.

80. The article of claim 79, wherein following entry by a user of the numerical identifier, if the image is available for printing, a confirmation message is generated that confirms at least one of the selection and the availability of the image.

81. The article of claim 74, wherein following entry by a user of the numerical identifier, if the image is a licensed image not available for printing, a message is generated instructing a user to enter a key number to activate the licensed image.

82. The article of claim 74, further comprising instructions that, when executed by the processor, generate on the display screen a button for selecting advanced functions for control of print size variables.

83. The article of claim 82, wherein if the button for selecting advanced functions is actuated, a menu is generated that includes a photo size auto detect button.

84. The article of claim 83, wherein if the photo size auto detect button is actuated by a user, a menu is generated that includes an auto detect and a manual photo size button.

85. The article of claim 84, wherein if the manual photo size button is actuated by a user, a menu is generated that includes a photo length button and a photo width button.

86. The article of claim 85, wherein if one of the photo length button and the photo width button are actuated by a user, a key pad is generated for input of photo dimensions.

87. The article of claim 85, wherein the menu further comprises a cropping button for selectively cropping the image

88. The article system of claim 87, wherein if the cropping button is actuated by a user, and the photo length button and the photo width button are actuated by the user following actuation of the cropping button, a key pad is generated for input of the dimensions of a crop box.

89. The article of claim 88, further comprising a crop box display.

90. The article of claim 87, wherein the menu further comprises a button for selecting an offset value for a cropped image.

91. The article of claim 90, wherein if the offset value button is actuated by a user, a key pad is generated by input of the offset dimensions.

92. The article of claim 73, further comprising instructions that, when executed by the processor, generate on the display screen a balance slider for adjusting the lightness and/or darkness of the image.

93. The article of claim 73, wherein the software program further comprises instructions for displaying a button that causes the printer to print the edible image on the edible product. --

REMARKS

In this preliminary amendment, the pending claims are canceled and replaced with new claims that more particularly describe the invention.

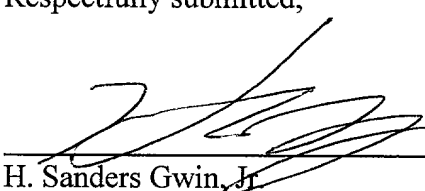
Attached is a marked-up version of the changes being made by the current amendment.

Applicant asks that all claims be examined. Please apply any other charges or credits to Deposit Account No. 06-1050.

If question arise regarding the above, please contact the undersigned.

Respectfully submitted,

Date: January 28, 2002



H. Sanders Gwin, Jr.
Reg. No. 33,242

Version with markings to show changes made

In the specification:

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